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10/505,462	03/10/2005	Peter Frings	GN02031	9184

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AGFA CORPORATION  
PATENT DEPARTMENT  
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WILMINGTON, MA 01887

EXAMINER
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DICKER, DENNIS T

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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02/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/505,462

**Applicant(s)**

FRINGS, PETER

**Examiner**

Dennis Dicker

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/20/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 9 and 11-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 9-15 fail to claim that the program is recorded on an appropriate computer or printer readable medium so as to be structurally functionally interrelated to the medium and thus permit the function of a descriptive material to be realized.

Examples of acceptable language in computer-processing relating claim

1. "Computer readable medium" encoded with

- [a] "a computer program"
- [b] "Software"
- [c] "Computer executable instructions"
- [d] "Instructions capable of being executed on a compute

2. "A computer readable medium computer program"

- [a] storing a
- [b] embodied with a
- [c] encoded with a
- [d] having a stored
- [e] having an encode

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 and 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Weichmann et al (hereinafter "Weichmann '524" 6,580,524).

As pertaining to **Claim 1**, Weichmann '524 teaches a method for defining a job ticket (i.e., **Fig. 4, Job ticket defined**) for a job in a pre-press workflow system (i.e., **Col. 8 lines 3-4 and Fig. 4, Pre press workflow system defining a job for a job ticket**), the method comprising the steps of: defining an input channel (i.e., **Col. 4 lines 31-35, input channel[profile] is defined**) for accepting at least one document by said pre-press workflow system (i.e., **51 of Fig. 4 and Col. 4 lines 17-23, profile accepts a document data [meta data] by the pre press workflow system**) and for performing a check of said at least one document (i.e., **Col 4 lines 36-41, a check is performed on document data for choosing a profile [7 of Fig. 1]** ); and defining a job ticket for assembling said job from said at least one document (i.e., **51 of Fig. 4, a job ticket is defined for a job from one document [meta data]** ) and for processing said job by said pre- press workflow system; wherein said job ticket definition comprises said input

channel definition (i.e., **Fig. 4, a job is processed by said pre press workflow system [pre press stage of system process a job] and job ticket definition [job ticket contents] comprises said input channel definition [machine data color profile]**)).

As pertaining to **Claim 2**, Weichmann '524 teaches a method further comprising the step of: defining a second input channel (i.e., **Fig. 5, channel pool of multiple channels [profiles] including multi dimensional profiles**); wherein said job ticket definition comprises said second input channel definition (i.e., **Col. 8 lines 18-21, job ticket contains first and second channel[profiles]** ).

As pertaining to **Claim 3**, Weichmann '524 teaches a method further comprising the steps of: defining a first setting for said input channel (i.e., **Col. 8 lines 18-21, First channel [profile] being a one dimensional profile**); defining a second setting for said second input channel (i.e., **Col. 8 lines 18-21, second channel[profile] being a multi-dimensional profile** ), wherein said second setting is different from said first setting (i.e., **Col. 8 lines 18-21 , one dimensional profile is different from a multi dimensional profile** ).

As pertaining to **Claim 4**, Weichmann '524 teaches a method further comprising the steps of: defining a first processing step (i.e., **Col. 6 lines 37-40 , one dimensional transformation** ) for said input channel (i.e., **Col. 8 lines 18-21, First channel[profile] being a one dimensional profile**) and defining a second processing step (i.e., **Col. 6 lines 29-36, multi -dimensional transformation**) for said second input channel (i.e., **Col. 8 lines 18-21, second channel[profile] being a multidimensional profile**)

wherein said second processing step is different from said first processing step (i.e., **Col. 8 lines 18-21 , one dimensional profile is different from a multi dimensional profile**).

As pertaining to **Claim 5**, Weichmann '524 teaches a further comprising the steps of: checking a state of said job (i.e., **Col. 7 lines 51-52, state of a job is checked and compared to a threshold value**); and stopping said input channel if said state is a particular predetermined state (i.e., **Col. 7 lines 45-55, interpolation of profile is stopped if a sufficiently adequate interpolation is not possible**).

As pertaining to **Claim 6**, Weichmann '524 teaches a method further comprising: checking a state of said job (i.e., **Col. 7 lines 51-52, state of a job is checked and compared to a threshold value**); and stopping said input channel if said state is a particular predetermined state (i.e., **Col. 7 lines 45-55, interpolation of profile is stopped if a sufficiently adequate interpolation is not possible**).

As pertaining to **Claim 7**, Weichmann '524 teaches a data processing system (i.e., **Fig. 4, data processing system**) for processing data for defining a job ticket (i.e., **Fig. 4, Job ticket**) for a job in a pre-press workflow system, (i.e., **Col. 8 lines 3-4 and Fig. 4, Pre press workflow system defining a job for a job ticket**) the data processing system comprising means for generating an input channel definition (i.e., **60 of fig. 5, Profile data pool for generating defined input channels [profiles]**) by defining an input channel (i.e., **Col. 4 lines 31-35, input channel[profile] is defined**)for accepting at least one document by the pre- press workflow system (i.e., **51 of Fig. 4 and Col. 4 lines 17-23, profile accepts a document data [meta data] by the**

**pre press workflow system)** and for performing a check of said at least one document (i.e., Col 4 lines 36-41, a check is performed on document data for choosing a **profile [7 of Fig. 1]** ); and means for generating a job ticket definition by defining the job ticket for assembling the job from said at least one document (i.e., 51 of Fig. 4, a **job ticket is defined for a job from one document [meta data]** ) and for processing the job by the pre-press workflow system; wherein said job ticket definition comprises said input channel definition (i.e., Fig. 4, a **job is processed by said pre press workflow system [pre press stage of system process a job] and job ticket definition [job ticket contents] comprises said input channel definition [machine data color profile]** ).

As pertaining to **Claim 8**, Weichmann '524 teaches a system further comprising an input device (i.e., 70 of Fig. 4, **Pre press stage as input device**) for inputting data for said job via said input channel (i.e., Fig. 4 , **data is to be inputted by the pre press stage into the printer using input channel [input print profile]**).

As pertaining to **Claim 9**, Weichmann '524 teaches a computer program product (i.e., Col. 3 lines 24-26, **method of using a data processing device where the method would have to be in the form of a computer program product in order for the method to be realized in a data processing device**) for defining a job ticket (i.e., Fig. 4, **Job ticket defined**) for a job in a pre-press workflow system (i.e., Col. 8 lines 3-4 and Fig. 4, **Pre press workflow system defining a job for a job ticket**), the computer program product comprising : first program instructions for defining an input channel (i.e., Col. 4 lines 31-35, **input channel[profile] is defined**) for accepting at

least one document by said pre-press workflow system (i.e., 51 of Fig. 4 and Col. 4 lines 17-23, profile accepts a document data [meta data] by the pre press workflow system) and for performing a check of said at least one document (i.e., Col 4 lines 36-41, a check is performed on document data for choosing a profile [7 of Fig. 1] ); and second program instructions for defining a job ticket for assembling said job from said at least one document (i.e., 51 of Fig. 4, a job ticket is defined for a job from one document [meta data] ) and for processing said job by said pre-press workflow system; wherein said job ticket definition comprises said input channel definition (i.e., Fig. 4, a job is processed by said pre press workflow system [pre press stage of system process a job] and job ticket definition [job ticket contents] comprises said input channel definition [machine data color profile] )..

As pertaining to **Claim 11**, Weichmann '524 teaches a computer program product according to claim 9 further comprising a computer readable medium wherein said first and second program instructions are recorded on said medium. (i.e., Col. 3 lines 24-26, method of using a data processing device where the method would have to be in the form of a computer program product in order for the method to be realized by providing first and second instructions recorded on a medium in a data processing device).

As pertaining to **Claim 12**, Weichmann '524 teaches a computer program product further comprising third program instructions for defining a second input channel(i.e., Fig. 5, channel pool of multiple channels [profiles]), wherein said job



ticket definition comprises said second input channel definition (i.e., **Col. 8 lines 18-21, job ticket contains first and second channel[profiles[ ]**).

As pertaining to **Claim 13**, Weichmann '524 teaches a computer program product further comprising: fourth program instructions for defining a first setting for said input channel (i.e., **Col. 8 lines 18-21, First channel [profile] being a one dimensional profile**); and fifth program instructions for defining a second setting for said second input channel (i.e., **Col. 8 lines 18-21, second channel[profile] being a multidimensional profile** ), wherein said second setting is different from said first setting (i.e., **Col. 8 lines 18-21, one dimensional profile is different from a multi dimensional profile** )..

As pertaining to **Claim 14**, Weichmann '524 teaches a computer program product further comprising: sixth program instructions for defining a first processing step (i.e., **Col. 6 lines 37-40 , one dimensional transformation** )for said input (i.e., **Col. 8 lines 18-21, First channel[profile] being a one dimensional profile**) and seventh program instructions for defining a second processing step (i.e., **Col. 6 lines 29-36, multi -dimensional transformation**) for said second input channel (i.e., **Col. 8 lines 18-21, second channel[profile] being a multidimensional profile** ), wherein said second processing step is different from said first processing step (i.e., **Col. 8 lines 18-21 , one dimensional profile is different from a multi dimensional profile** )..

As pertaining to **Claim 15**, Weichmann '524 teaches a computer program product further comprising: eighth program instructions for checking a state of said job (i.e., **Col. 7 lines 51-52, state of a job is compared to a threshold value**); and ninth

program instructions for stopping said input channel if said state is a particular predetermined state (i.e., Col. 7 lines 45-55, interpolation of profile is stopped if a sufficiently adequate interpolation is not possible).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,771,103, US 6,509,974 and 5,579,087 all pertain to methods in a data processing system for defining input channels and accepting a document by a pre press workflow system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Dicker whose telephone number is (571) 270-3140. The examiner can normally be reached on Monday -Friday 7:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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A handwritten signature in black ink, appearing to read "Gabriel Garcia". The signature is fluid and cursive, with the first name "Gabriel" and the last name "Garcia" clearly distinguishable.

GABRIEL GARCIA  
PRIMARY EXAMINER